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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION CONCERNING WESTERN SAHARA

I. INTRODUCTION

1. Pursuant to Security Council resolution 1133 (1997) of 20 October 1997, I submitted a comprehensive report to the Council on 13 November (S/1997/882), including a detailed plan and timetable for the holding of the referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan (S/21360 and S/22464 and Corr.1) and the agreements reached between the parties for its implementation (S/1997/742). Pursuant to that resolution, in which the Council also requested me to report regularly on the progress made in implementation of the settlement plan, I stated in my report that I intended to provide to the Council, by 15 January 1998, detailed information on progress in the identification operation, which was to be resumed on 1 December 1997, and to confirm that the transitional period might start on 7 June 1998 as planned.

2. In a letter to the President of the Security Council dated 12 December 1997 (S/1997/974), I reported that identification of potential voters in the referendum had resumed on 3 December, following preparatory work and the deployment of observers of the two parties (Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y del Rio de Oro (Frente POLISARIO)), of those of the Organization of African Unity (OAU), of tribal leaders (sheikhs) and of Identification Commission staff. My letter provided a detailed account of activities undertaken as at that date. The present report covers subsequent developments in the identification process and other aspects relevant to the implementation of the settlement plan.

II. DEVELOPMENTS DURING THE REPORTING PERIOD

3. On 26 December 1997 (see S/1997/1023), I informed the Security Council of my intention to appoint Mr. Charles F. Dunbar (United States of America) as my Special Representative for Western Sahara, to which the Council agreed in a letter from the President addressed to me on 30 December (S/1997/1024). Mr. Dunbar is expected to take up his duties in the mission area by the first week of February 1998, upon completion of the necessary consultations with my

Personal Envoy, Mr. James A. Baker III, at Headquarters in late January. Meanwhile, my Acting Special Representative, Mr. Erik Jensen, has continued to work actively with the Government of Morocco and the Frente POLISARIO to establish the measures necessary for identification to proceed as planned and to address other matters in implementation of the settlement plan.

Identification process

4. Since identification resumed on 3 December 1997 at Laayoune in the Territory of Western Sahara and at Camp Smara in the Tindouf area of southern Algeria, five other Identification Commission teams have begun work. Of the seven centres that are currently operating, three are in the Territory, two in the Tindouf area and two in southern Morocco. Arrangements have been initiated with the Mauritanian authorities for the opening of a centre at Zouerate on 2 February, at which time another team will start work in Morocco to reach the planned total of nine centres operating concurrently.

5. Following extensive consultations between my Acting Special Representative and the parties, the comprehensive list of tribal leaders required to provide oral testimony during identification was agreed by the parties and published on 20 December 1997.

6. Identification activities at the centres have been pursued vigorously, with the full participation of observers of the two parties and of OAU. Both parties have continued to maintain a positive and collaborative approach to the process. Nine of the 10 expected OAU observers, from Angola, Côte d'Ivoire, the Democratic Republic of Congo, Ethiopia, Guinea, the Niger, Nigeria, Sierra Leone and the United Republic of Tanzania, have taken up their duties under the direction of the Senior Representative.

7. Identification was suspended at Laayoune for three days, when sheikhs had fallen ill, but the Identification Commission made up for time lost by continuing the operation at weekends and during public holidays. Between 3 December 1997 and 10 January 1998, 18,688 persons were convoked. Of these, 13,227 came before the Commission, bringing to 73,399 the total number of persons identified since the start of identification in 1994.

8. Operational problems involving the parties have for the most part been resolved. Those pending include a request by Morocco that the place of identification for 900 individuals who were originally convoked at Tan Tan in southern Morocco should be at Goulemine, where they reside and where the Commission has opened another centre. The Frente POLISARIO has not agreed to having these individuals identified at Goulemine. The Identification Commission, however, considers this a technical issue falling within its competence to resolve, as underlined in the practical measures for the resumption of identification that were agreed to by the parties in Houston (S/1997/742, annex III, sect. III).

9. It will be recalled that, under the Houston agreements the parties agreed that they would not directly or indirectly sponsor for identification anyone from tribal groupings H41, H61 and J51/52 other than persons included in the 1974 census and their immediate family members, but would not actively prevent

individuals from such tribal groupings from presenting themselves. The parties also agreed that identification of any such individuals who might present themselves should proceed as soon as possible.

10. Identification sessions were held at Laayoune in the Territory for members of the above-mentioned three tribal groupings and at Camps Smara and Dakhla in the Tindouf area for members of tribal grouping J51/52. Some 830 persons included in the 1974 census and their immediate family members were convoked and identified at those sessions. During the actual convocation days, 3,927 unconvoked individuals presented themselves at Laayoune and 495 in the Tindouf area; and in succeeding days 8,613 individuals, mostly from tribal grouping H61, also came forward at Laayoune. The Frente POLISARIO protested that Morocco was in breach of the Houston agreements with respect to the sponsorship of non-convoked individuals. Identification sessions for tribal groupings H41 and J51/52 are scheduled in January at Dakhla town in the Territory. No arrangements have yet been made for such sessions in Morocco. It is proposed to programme for early February identification of the first group of persons who presented themselves on the days of convocation of members of tribal groupings H41, H61 and J51/52 at Laayoune and Dakhla.

11. In addition to the question of the unconvoked individuals from tribal groupings H41, H61 and J51/52 who presented themselves, two other cases arose: the procedure to be adopted for the same groups in Morocco; and Morocco's wish that, in addition to the two centres in southern Morocco envisaged in the work programme of the Identification Commission presented to the two parties, centres be opened in northern Morocco in view of the large number of applicants from non-contested groups who reside in that part of the country and are to be convoked.

12. The Identification Commission is now at two-thirds strength. The weekly rate of identification is scheduled to increase in January and again in the period from February to May in order to complete the identification programme by the end of May as planned. This is conceivable only if a full complement of Commission and support staff, all appropriately qualified, is in place by the end of January and if there are no interruptions from now until the end of the process.

13. The Chairman of the Identification Commission, Mr. Robin Kinloch, continues to meet frequently with senior officials of the two parties, and has met with ministers of the Government of Mauritania. The Commission has been issuing regular "operational communiqués" to inform all concerned of identification plans and procedures and to provide advance notice of centre programmes and such matters as the movement of observers and tribal leaders, deadlines for receipt of data and the issuance of convocation lists.

Civilian police aspects

14. Seventy-nine civilian police officers, including the Civil Police Commissioner, Chief Superintendent Peter Miller (Canada), are currently assigned to the United Nations Mission for the Referendum in Western Sahara (MINURSO). They are drawn from the following countries: Canada (5), Egypt (2), Ghana (10), India (10), Malaysia (10), Nigeria (10), Norway (2), Pakistan (10), Portugal

(10), and Sweden (10). Two civilian police officers are expected to arrive during January, bringing the civilian police component to its total strength of 81 as planned.

15. The work of the civilian police is closely linked to the identification process. Officers provide 24-hour security as required, escort the respective observers and tribal leaders (sheikhs) of the other party in the Tindouf area of southern Algeria and in Western Sahara and southern Morocco. Civilian police officers contribute directly to various identification activities, in addition to controlling access and ensuring order at the centres in Laayoune and Smara in the Territory, at the Smara and Dakhla camps in the Tindouf area and at Tan Tan and Goulemine in southern Morocco.

16. In preparing for the transitional period, the civilian police have established working groups to identify operational needs and coordinate the logistics required to accommodate the influx of additional personnel.

Military aspects

17. Under the command of Maj.-Gen. Bernd S. Lubenik (Austria), the military component of MINURSO continues to monitor the ceasefire between the Royal Moroccan Army and the Frente POLISARIO forces, which came into effect on 6 September 1991. No incidents have occurred and the situation in the MINURSO area of responsibility remains calm. There have been no significant indications that either side intends to resume hostilities in the near future. Both the Royal Moroccan Army and Frente POLISARIO forces have been cooperative with military observers in their respective areas.

18. After extensive consultations, the Force Commander reached a new military agreement with the two parties, which covers the present period until the start of the transitional period under the settlement plan. The agreement lays down guidelines and procedures to be followed by both the Royal Moroccan Army and the Frente POLISARIO forces in the framework of the ceasefire, to ensure that no hostility of any type is resumed. Any violations of the agreement as well as actions contrary to the spirit of the settlement plan are to be reported to higher authority. Under the agreement, the rights of the United Nations military observers in the performance of their duties are also defined.

19. During the reporting period, another important task was continued preparation for the full deployment of the military component and fulfilment of its mandate under the settlement plan and the Houston agreements, for which a new operational concept was developed and potential troop contributors have been actively approached on an informal basis. While remaining within the overall ceiling of the military force structure of 1,850 all ranks proposed in my report of 13 November 1997 (S/1997/882), it may be necessary to adjust the numerical balance of the various elements of the Force for operational, logistic or budgetary reasons.

Preparatory work for the repatriation of Saharan refugees

20. During the reporting period, the Office of the United Nations High Commissioner for Refugees (UNHCR) continued its preparatory work for the

repatriation of Saharan refugees as foreseen in the timetable proposed in my report of 13 November. In that connection, the UNHCR plan of action has been updated in order to finalize the special appeal for funds. Several missions were deployed to the region to present the UNHCR repatriation plan to the relevant authorities and continue with the discussions on the technical aspects related to the programme, to resume pre-registration of refugees in the Tindouf area, to initiate a public information campaign as a confidence-building measure and to conduct other activities related to the establishment of the UNHCR presence and infrastructure development in the area. Discussions were also held with the World Food Programme (WFP) regarding its role as foreseen in the UNHCR plan of action. The plan was also presented to the European Community Humanitarian Organization for fund-raising and coordination purposes.

III. ADMINISTRATIVE AND FINANCIAL ASPECTS

21. With the resumption of identification on 3 December 1997, the administrative support was mobilized. Although deployment of administrative staff was generally on target, shortages remained in the Identification Commission support staff. However, by the end of December 1997, the total number of civilian staff stood at 266 (194 international and 72 local).

22. The Government of Morocco extended its full assistance to accommodate the increased number of MINURSO staff, by providing additional hotel rooms in Laayoune, reopening hotel facilities in Smara and providing similar new facilities in Tan Tan and Goulemine. The Frente POLISARIO provided a school building to house Identification Commission members and support staff. The Government of Algeria has also made accommodation available in a newly built hotel in Tindouf.

23. Provision of communication network and transport equipment was initiated. Vehicles from the United Nations missions in Haiti and Angola were redeployed to MINURSO. Purchase of additional vehicles was also initiated by Headquarters under the replacement programme.

24. In consultation with the United Nations technical team that visited the mission area last October, funds were deployed to repair MINURSO team sites. Procedural arrangements were finalized by MINURSO for the provision of rations for up to 700 military personnel and support staff at team sites. Approval of the Moroccan Government is awaited to use the airfield at a Royal Moroccan Army base at Goulemine, which would greatly facilitate transfer of sheikhs and observers and permit more time for identification.

25. My revised budget for MINURSO, which provides for additional requirements of $17,489,100 gross to enable it to proceed with its identification tasks pursuant to Security Council resolution 1133 (1997), has been finalized and is expected to be issued shortly. Pending consideration of this budget by the General Assembly, the Advisory Committee on Administrative and Budgetary Questions has authorized me to enter into commitments of $9.3 million gross to meet the essential and immediate requirements for the identification process for the period ending 31 March 1998. As funds have not been made available for the deployment of the Engineering Unit, demining activities will not commence in

February 1998 as planned in the timetable proposed in my report of 13 November 1997 (S/1997/882), thus affecting the timely deployment of the military component of MINURSO and other elements of the implementation plan.

26. As at 31 December 1997, unpaid assessed contributions to the MINURSO special account for the period since inception to 31 December 1997 amounted to $48.9 million. The total of outstanding assessed contributions for all peacekeeping operations as at 31 December was $1,574.1 million.

IV. OBSERVATIONS

27. Between 28 August 1994, when the identification process was launched, and December 1995, when it came to a standstill, 77,058 persons had been convoked, of whom 60,112 had been identified by the Commission. Between 3 December 1997 and 10 January 1998, 18,688 persons were convoked, and 13,227 identified. The Commission has now achieved a threefold increase in the weekly rate of identification. Promising progress has thus been made since the resumption of the process.

28. Nevertheless, the completion of the identification phase by 31 May 1998 will be a daunting and arduous task, involving the convocation of more than 100,000 applicants and their identification in less than five months. This will require the continued commitment and support of the parties and an early resolution of issues related to tribal groupings H41, H61 and J51/52.

29. In consultation with my Personal Envoy, and in conformity with the Houston agreements, I have decided to instruct MINURSO to proceed as soon as possible with the identification of those unconvoked individuals who presented themselves on the days of convocation of their respective tribal groups.

30. With regard to applicants from non-contested tribes resident in northern Morocco, who were initially expected to travel to the identification centres at Tan Tan and Goulemine in southern Morocco, I have concluded that, given their large number, it would be considerably more practical, from a logistic point of view, to convoke and identify them in the northern part of the country. I have decided therefore that identification sessions initially scheduled to take place in Tan Tan and Goulemine for applicants resident in northern Morocco should be held at two northern locations where the number of resident applicants exceeds 10,000, that is, at El Kelaa des Sraghna and at Sidi Kacem. I count on the cooperation of the two parties to ensure that these arrangements proceed smoothly.

31. Until the number of non-convoked persons presenting themselves is known for certain, it will not be possible to confirm that the identification process can be concluded by the end of May to permit the start of the transitional period on 7 June 1998 as planned. Nevertheless, I remain convinced that, in order to keep the momentum, it is essential that every effort be made to adhere as strictly as possible to the timetable presented in my report of 13 November 1997 (S/1997/882). In addition to the continued commitment and cooperation of the parties, this requires, as underlined in my letter to the President of the Security Council dated 12 December 1997 (S/1997/974), the provision of the

necessary resources in full and on time, including the early deployment of the engineering and other resources to undertake the required operational demining and prepare for the deployment of the military component of the Mission. I appeal therefore to the Security Council and the General Assembly to extend all the necessary support in this regard, so that the overall objective of holding the referendum by the end of 1998 may still be maintained.

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